

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant: Siva G. Narendra et al.

Title: CURRENT REFERENCE APPARATUS AND SYSTEMS

Docket No.: 884.575US2

Filed: October 20, 2003

Examiner: Douglas M. Menz

Serial No.: 10/689,128

Due Date: January 2, 2005

Group Art Unit: 2824

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



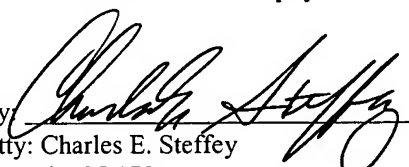
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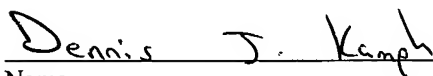
X Response to Restriction Requirement (3 pgs.).


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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
Customer Number 21186

By 
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Reg. No. 25,179

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SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
(GENERAL)



S/N 10/689,128

PATENT

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Serial No.:	10/689,128	Group Art Unit:	2824
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Title:	CURRENT REFERENCE APPARATUS AND SYSTEMS		
Assignee:	Intel Corporation	Customer No:	21186

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
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In response to the Restriction Requirement mailed December 2, 2004, the Applicants hereby elect, with traverse, Species I (claims 1-9). The Applicants reserve the right to reintroduce the non-elected claims 10-20 into this Application, or into one or more divisional applications at a later date.

First, according to the Manual of Patent Examining Procedure (MPEP) § 806.04(d), “[i]n general, a generic claim should include no material element additional to those recited in the species claims, and must comprehend within its confines the organization covered in each of the species ...the claims to the species which can be included in a case in addition to a single species must contain all the limitations of the generic claim.” Further, according to MPEP § 806.04(f), “Claims to be restricted to different species must be mutually exclusive. ... This is frequently expressed by saying that claims to be restricted to different species must recite the mutually exclusive characteristics of such species.” Claim 1 contains the following limitations:

- (a) a voltage source to provide a substantially temperature stable output voltage;
- (b) a first semiconductor device biased by the substantially temperature stable output voltage to provide a first output current; and
- (c) a second semiconductor device biased by the substantially temperature stable output voltage to provide a second output current, the second semiconductor device to couple to the first semiconductor device to provide a reference current approximately equal to a difference between the first and the second output currents.

These same limitations are present in pending claims 2-20. Thus, the Applicants assert that at least claim 1 is generic to Species I, II, and III. Therefore, allowance of claim 1 should result in consideration of Species I, II, and III.

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Second, the Applicants respectfully submit that the Restriction Requirement has not followed the requirements of MPEP § 806.04(b), which states, in part:

Where inventions as disclosed and claimed are both (A) species under a claimed genus and (B) related, then the question of restriction must be determined by both the practice applicable to election of species and the practice applicable to other types of restrictions such as those covered in MPEP § 806.05 - § 806.05(i). If restriction is improper under either practice, it should not be required.

The analysis requires two criteria for a proper restriction: (A) the inventions must be independent or distinct, and (B) there must be a serious burden on the examiner. This analysis is not provided in the Restriction Requirement. Accordingly, since claim 1 is generic to Species I, II, and II, and since the requisite analysis has not been provided to establish a proper restriction requirement, the Applicants request that the requirement to elect species for examination be withdrawn.

Finally, it is respectfully requested that claim 9 be amended as follows, to correct a typographical error, and not for reasons related to patentability:

9. (Currently Amended) The integrated circuit of claim 1 ~~9~~, wherein the voltage source comprises a band-gap voltage source.

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The Examiner is invited to telephone the Applicant's attorney, Mark Muller at (210) 308-5677, or Applicant's below-named representative at (612) 373-6970 to facilitate the prosecution of this Application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

SIVA G. NARENDRA ET AL.

By their Representatives,

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January 3, 2005

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Name

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